

STATE OF NEW YORK :  
SUPREME COURT : COUNTY OF ERIE

DENISE PIECHOWICZ, Individually and as  
Administratrix of the Estate of J [REDACTED] P [REDACTED], Deceased

Claimant

vs.

**NOTICE OF CLAIM**

LANCASTER CENTRAL SCHOOL DISTRICT and  
TOWN OF LANCASTER

Respondents

TO: Lancaster Central School District  
177 Central Avenue  
Lancaster, NY 14086

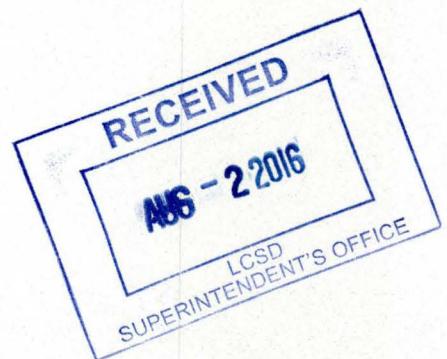
Town of Lancaster  
21 Central Avenue  
Lancaster, NY 14086

To whom it may concern:

PLEASE TAKE NOTICE, that the undersigned hereby makes claim against and submits the following in compliance with the applicable statutes of the State of New York.

1. The Claimant herein is DENISE PIECHOWICZ, Individually and as Administratrix of the Estate of J [REDACTED] P [REDACTED], Deceased. The Claimant's address is 16 Liberty Avenue, Lancaster, NY 14086.

2. The Claimant herein is represented by the law firm of BROWN CHIARI LLP, 2470 Walden Avenue, Buffalo, New York 14225. The subject claim is for personal injury and wrongful death sustained by reason of injury to Claimant's decedent J [REDACTED] P [REDACTED].



3. Decedent, J [REDACTED] P [REDACTED] died on May 6, 2016 at approximately 5:55 p.m.

4. The incidents giving rise to these damages occurred from approximately March, 2016 through May 6, 2016 at the Lancaster Middle School while the Claimant's decedent, J [REDACTED] P [REDACTED], was a student at the Lancaster Central School District in the Lancaster Middle School, Town of Lancaster, County of Erie, and State of New York.

5. The said damages for which claim is hereby made arose in the following manner, to wit:

The Claimant's decedent, J [REDACTED] P [REDACTED] was a student at Lancaster Central Middle School and during this past academic year, from on or about March, 2016 through May 6, 2016, was negligently and intentionally subjected to inappropriate and illegal deprivation of due process, to wit: two suspensions in violation of New York educational law and federal law in March, 2016 and May 6, 2016, negligent, harassing, threatening and illegal interrogation and illegal searches and seizures of Mr. J [REDACTED] P [REDACTED]'s person and property and plaintiff's property, on May 6, 2016, all causing severe emotional distress, embarrassment, intimidation, fear, shame, and scorn, which caused or contributed to and led to his death.

6. Additionally, the Respondents, Lancaster Central School District and the Town of Lancaster were negligent in failing to properly supervise the Claimant's decedent and such negligence caused the aforesaid injuries and resulting death. The Respondents were negligent in, among other things: failing to establish a process for student interview and discipline in conformity with existing state and federal laws; failing to appropriately train, supervise, monitor and detect the contact between the Claimant's decedent and Respondents' employees; failing to promulgate and follow proper protocol and procedure for student interaction with town/district personnel; failing to disclose such information to appropriate personnel, and upon discovering same to the infant decedent's parents, further causing damage to the infant decedent; and failing

to properly investigate the situation upon notification thereby subjecting the infant decedent to extensive, intimidating, embarrassing, harassing, illegal, irrelevant, and unauthorized questioning — without representation of a parent or counsel — all causing further extreme emotional distress, fear, pain and suffering.

7. The Claimant's decedent J [REDACTED] P [REDACTED] sustained serious emotional harm and suffering which includes, but is not limited to, shame, scorn, intimidation, embarrassment, degradation, and fear all of which caused his death; and his surviving distributees have sustained pecuniary injuries.

8. The subject claim is for a sum to be determined by a jury.

DATED: August 2, 2016

*Denise Piechowicz*  
DENISE PIECHOWICZ, Individually and  
as Administratrix of the Estate of J [REDACTED]  
P [REDACTED], Deceased

STATE OF NEW YORK  
COUNTY OF ERIE) ss:

On the 2nd day of August, 2016, DENISE PIECHOWICZ, Individually and as Administratrix of the Estate of J [REDACTED] P [REDACTED], Deceased, being duly sworn, deposes and says that she is the Claimant in this matter; that she has read the foregoing Notice of Claim and knows the contents thereof; that it is true to personal knowledge, except as to matters stated to be upon information and belief, and as those matters he believes to be true.

*Denise Piechowicz*  
DENISE PIECHOWICZ, Individually and  
as Administratrix of the Estate of J [REDACTED]  
P [REDACTED], Deceased

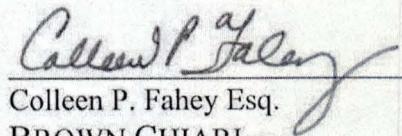
Sworn to before me on this  
2nd day of August, 2016.

*Colleen P. Fahey*  
Notary Public

COLLEEN P. FAHEY  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires Feb. 24, 2018

**CERTIFICATION**

Pursuant to Part 130-1 of the Rules of the Chief Administrator, the undersigned attorney certifies that, to the best of my knowledge, information and belief, formed after inquiry reasonable under the circumstances, the presentation of this paper or the contentions therein are not frivolous as defined in subsection (c) of §130-1.1.



Colleen P. Fahey Esq.  
BROWN CHIARI LLP  
**Attorneys for Claimant**  
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